

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

ROBERT UNDERWOOD,)
)
Plaintiff,)
)
v.) Case No.: 2:16-cv-00892-LSC-TMP
)
WARDEN LEON BOLLING, et al.,)
)
Defendants.)

ORDER

The magistrate judge entered a report on March 7, 2017, recommending all claims in this action, except the Eighth Amendment failure-to-protect claims against defendants Fox, Thomas, Tew, White, Baldwin and Bolling in their individual capacities for monetary damages be dismissed without prejudice pursuant to 28 U.S.C. § 1915A(b)(1), for failing to state a claim upon which relief can be granted. (Doc. 8). The magistrate judge further recommended the plaintiff's remaining claims be referred back to the magistrate judge for further proceedings. (*Id.* at 19). Although the magistrate judge advised the plaintiff of his right to file specific written objections within fourteen (14) days, no objections have been received by the court.

Having carefully reviewed and considered *de novo* all the materials in the court file, including the report and recommendation, the magistrate judge's report

is hereby **ADOPTED** and the recommendation is **ACCEPTED**. The court **ORDERS** that all claims in this action, except the Eighth Amendment failure-to-protect claims against defendants Fox, Thomas, Tew, White, Baldwin and Bolling in their individual capacities for monetary damages are **DISMISSED WITHOUT PREJUDICE** pursuant to 28 U.S.C. § 1915A(b). The court further **ORDERS** that the remaining claims are **REFERRED** to the magistrate judge for further proceedings.

DONE AND ORDERED ON APRIL 3, 2017.



L. SCOTT COOGLER
UNITED STATES DISTRICT JUDGE
160704